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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/719,732	11/21/2003	Roy W. Stedman	16356.837 (DC-05599)	3540
27683	7590	09/19/2006	EXAMINER	
HAYNES AND BOONE, LLP 901 MAIN STREET, SUITE 3100 DALLAS, TX 75202			CRIBBS, MALCOLM D	
			ART UNIT	PAPER NUMBER
			2115	

DATE MAILED: 09/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/719,732	Applicant(s) STEDMAN ET AL.	
	Examiner Malcolm D. Cribbs	Art Unit 2115	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-4, 7, 9-14, 17, 19-24, 27 and 29-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-4, 7, 9-14, 17, 19-24, 27 and 29-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 1-4, 7, 9-14, 17, 19-24, 27, 29-35 are presented for examination.

5 **Claims 5, 6, 8, 15, 16, 18, 25, 26, 28 have been cancelled.**

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

10 (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15 **Claims 1-4, 7, 9-14, 17, 19-24, 27, and 29-35 are rejected under 35 U.S.C.**

103(a) as being unpatentable over Kim et al [US 6,802,010] [Hereinafter referred to as Kim] in view of Mermelstein [US 6,052,793] in further view of Chien et al [Publication No. US 2003/0233519] [Hereinafter referred to as Chien].

20 **As per Claims 1, 11, and 31-35, Kim teaches the invention, comprising:**

receiving, by the receiver of the IHS, a command from the remote [Column 4, lines 3-5, 7, 14-15, 24-28];

control instructing the IHS to enter a reduced power mode [Column 4, lines 3-5, 7, 14-15, 24-28]; and

25

entering the reduced power mode, by the IHS, in response to the command
[Column 4, lines 3-5, 7, 14-15, 24-28].

Kim does not teach that upon loss of power by the IHS and return of power to the
5 IHS, supplying power to a sufficient portion of the IHS to enable the IHS to respond to
commands from the remote control.

Mermelstein does teach that upon loss of power by the IHS and return of power
to the IHS, supplying power to a sufficient portion of the IHS to enable the IHS to
10 respond to commands from the remote control (Column 2, lines 28-40, 55-65, Column
5, lines 9-12, 19-21). It would have been obvious to one of ordinary skill in the art in the
case of a power loss of a remote system to remember the previous state.

It would have been obvious to one of ordinary skill in the art to combine the
15 teachings of Kim and Mermelstein because they both deal with the control of power
dependant on states and can be controlled from outside/remote sources. Mermelstein
covers the deficiency of Kim by teaching the details of retaining the power state of a
system in the case of a power loss and upon return of power returning to that previous
state.

20

Kim and Mermelstein do not teach a receiver coupled to a USB bus. Specifically,
Kim teaches a method of receiving a signal through a receiver coupled to the body of

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the computer. However, Kim fails to detail a method of using the wireless control and receiver with different computers. A routineer in the art would have been motivated to look for a teaching for the possible method of a wireless control and receiver adaptive to multiple computers

5

Chien teaches another method of receiving signals from a wireless device through a receiver coupled to a computer. Chien teaches a method of receiving control signals wirelessly through a receiver that is coupled to the USB bus [Page 1 [0018]], wherein it would have been obvious to one of ordinary skill in the art to disclose the peripheral bus power plane being coupled to the peripheral bus.

10

It would have been obvious to one of ordinary skill in the art to combine the teachings of Kim and Mermelstein with Chien, which are analogous art, because they teach a method of receiving signals by a receiver coupled to the computer. Chien covers the deficiency of Kim and Mermelstein by teaching the detail of a receiver coupled to the USB bus with the added benefit of the receiver having the ability to be used in multiple computers via USB connection.

15

As per Claims 2, 12, and 22, Kim et al discloses a method and system wherein infrared communications are used to communicate between the remote control and the receiver [Column 4, lines 17-19].

20

As per Claims 3, 13, and 23, Kim et al discloses a method and system wherein radio frequency communications are used to communicate between the remote control and the receiver [Column 4, lines 17-19].

5 **As per Claims 4, 14, and 24,** Kim et al discloses a method and system wherein acoustic communications are used to communicate between the remote control and the receiver [Column 4, lines 17-19].

10 **As per Claims 7, 17, and 27,** discloses a method and system wherein the sufficient portion of the IHS includes the peripheral bus.

15 **As per Claims 9, 19, and 29,** Mermelstein discloses a method and system wherein the IHS enters a minimal power on self test [POST] mode when power is lost by the IHS and power returns to the HIS [Column 2, lines 56-57, 61-65, [Inherently, to have a quick bios the POST, must be less/shorter than normal]].

20 **As per Claims 10, 20, and 30,** Mermelstein discloses a method and system including controlling the minimal POST mode with basic input output system [BIOS] software [Column 2, lines 56-57, 61-65].

As per Claims 21 and 31, Kim et al teaches the invention comprising:
a memory coupled to the processor [Figure 5, [325],[335],[340]];

glue logic, coupled to the processor, for enabling devices to be coupled to the processor [Figure 5, [325],[335],[345]];

a receiver, coupled to the glue logic, for receiving commands [Figure 5, [380],[345],[335]];

5 a remote control for sending commands to the receiver [Figure 5, [380]], and nonvolatile storage, coupled to the glue logic [Figure 5, [340],[335], including control software for causing the IHS to enter a reduced power mode in response to the receiver receiving a command from the remote control [Column 4, lines 3-5, 7, 14-15, 24-28].

10 Kim, does not teach that upon loss of power by the IHS and return of power to the IHS, instructing that power be supplied to a sufficient portion of the IHS to enable the IHS to respond to commands from the remote control.

Mermelstein does teach that upon loss of power by the IHS and return of power
15 to the IHS, supplying power to a sufficient portion of the IHS to enable the IHS to respond to commands from the remote control [Column 2, lines 28-40, 55-65, Column 5, lines 9-12, 19-21]. It would have been obvious to one of ordinary skill in the art in the case of a power loss of a remote system to remember the previous state.

20 It would have been obvious to one of ordinary skill in the art to combine the teachings of Kim et al and Mermelstein because they both deal with the control of power dependant on states and can be controlled from outside/remote sources. Mermelstein

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covers the deficiency of Kim et al by teaching the details of retaining the power state of a system in the case of a power loss and upon return of power returning to that previous state.

5 Kim and Mermelstein do not teach a receiver coupled to a USB bus. Specifically, Kim teaches a method of receiving a signal through a receiver coupled to the body of the computer. However, Kim fails to detail a method of using the wireless control and receiver with different computers. A routineer in the art would have been motivated to look for a teaching for the possible method of a wireless control and receiver adaptive to
10 multiple computers

Chien teaches another method of receiving signals from a wireless device through a receiver coupled to a computer. Chien teaches a method of receiving control signals wirelessly through a receiver that is coupled to the USB bus [Page 1 [0018]].
15

It would have been obvious to one of ordinary skill in the art to combine the teachings of Kim and Mermelstein with Chien, which are analogous art, because they teach a method of receiving signals by a receiver coupled to the computer. Chien covers the deficiency of Kim and Mermelstein by teaching the detail of a receiver
20 coupled to the USB bus with the added benefit of the receiver having the ability to be used in multiple computers via USB connection.

Conclusion

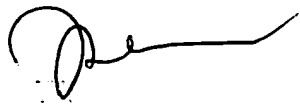
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Malcolm D. Cribbs whose telephone number is 571-272-5689. The examiner can normally be reached on M-F 8AM-430PM.

5 If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Lee can be reached on 571-272-3667. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for
10 published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a
15 USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Malcolm D Cribbs
Examiner
Art Unit 2115

September 15, 2006


SEP 15 2006
MALCOLM D. CRIBBS